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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, )  
Plaintiff, )  
vs. )  
TREVAUGHN JAMES, )  
Defendant. )  
CASE NO. 2:17-CR-00180-JAD-PAL  
**UNOPPOSED MOTION FOR MODIFICATION  
OF CONDITIONS OF PRETRIAL RELEASE**  
**EXPEDITED RELIEF REQUESTED**

Defendant, Trevaughn James (“Mr. James” or the “Defendant”), by and through his CJA counsel, Russell E. Marsh, Esquire, Wright Stanish & Winckler, hereby files this motion for modification of his conditions of pretrial release. This motion is not opposed by the Government or U.S. Pretrial Services. Mr. James asks for the expedited consideration on this motion, and that he be allowed to appear telephonically at any hearing on this motion. This motion is made and based upon the attached memorandum of points and authorities, the pleadings and papers on file herein, and any further argument allowed by the Court at any hearing on this motion.

Respectfully submitted:

## WRIGHT STANISH & WINCKLER

BY /s/ Russell E. Marsh  
RUSSELL E. MARSH, ESQUIRE  
Attorney for Defendant Trevaughn James

## MEMORANDUM OF POINTS AND AUTHORITIES

In this case, the Government charged the defendants with conspiracy and other offenses in relation to an alleged interstate vehicle theft scheme. Mr. James has been charged with one count of Conspiracy to Transport Stolen Vehicles (Count 1), in violation of 18 U.S.C. § 371; and one count of Wire Fraud (Count 11), in violation of 18 U.S.C. § 1343. (ECF No. 1 at 1-11, 16.)

Mr. James was arrested where he was staying with his family near Houston, Texas. He was ordered detained following a hearing before a magistrate judge in the Southern District of Texas. (ECF No. 82.) Mr. James did not have a new detention hearing before the magistrate judge when he appeared initially in this District, and he remained in custody. (ECF No. 120.)

Mr. James sought review of the detention order before the district judge. (ECF No. 160.) Following a briefing and a hearing on this matter, Judge Dorsey ordered Mr. James released and allowed him to return to Texas under strict conditions. (ECF Nos. 177, 178.) Among other conditions, Mr. James was ordered to reside with his mother, who was named as his custodian, and he was placed on home confinement with electronic monitoring. (ECF No. 178 at 4-6.)

Mr. James seeks modification of his pretrial release conditions, pursuant to 18 U.S.C. § 3142(C)(3), which allows the court to amend a defendant's conditions of release at any time. Specifically, Mr. James asks that the Court amend his release order to remove the conditions of home detention with location monitoring. This will better allow Mr. James to pursue educational, employment and business opportunities. It will also allow him to provide transportation for his grandparents, who live nearby and are in ill health.

Defense counsel has contacted U.S. Probation Officer Reginald Hollins in Houston, Texas, who supervises Mr. James' pretrial release. Officer Hollins does not oppose the proposed modification of the conditions of Mr. James' pretrial release. Officer Hollins advised counsel that Mr. James has been fully compliant with all conditions; that he has strong ties to the community and lives with his mother; and that in his view Mr. James does not pose a risk of flight and is not a danger to the community based on the nature of the charges. Mr. James' Pretrial Services Officer in Las Vegas, Austin Allison, agrees with Officer Hollins, and does not oppose Mr. James being taken off home detention and electronic monitoring.

Defense counsel also contacted Assistant U.S. Attorney Frank Coumou, who is one of the prosecutors representing the Government in this case. AUSA Coumou advised counsel that the Government does not oppose this motion.

Wherefore, Mr. James asks that this Court grant his unopposed motion, and modify his conditions of pretrial release to remove the conditions of home detention and location monitoring, with all other conditions remaining the same. Mr. James will still be required to maintain the same residence, under the custodianship of his mother. Mr. James requests that if the Court holds a hearing on this motion, he be allowed to attend telephonically.

Dated this 5th day of December, 2017.

# WRIGHT STANISH & WINCKLER

BY /s/ Russell E. Marsh  
RUSSELL E. MARSH, ESQUIRE  
Attorney for Defendant Trevaughn James

## ORDER

IT IS ORDERED that the defendant's motion to modify the conditions of his pretrial release is GRANTED. The home detention and location monitoring conditions are removed. All other previously imposed conditions still apply.

DATED: 12/7/2017

JENNIFER A. DURSEY

1                   **CERTIFICATE OF SERVICE**

2                   I HEREBY CERTIFY that on the 5th day of December, 2017, I caused a copy of the  
3 foregoing UNOPPOSED MOTION FOR MODIFICATION OF CONDITIONS OF PRETRIAL  
4 RELEASE to be served via the Court's CM/ECF electronic filing system addressed to all parties on  
5 the e-service list or either, emailed, hand delivered, facsimile or placed in the United States mail,  
6 postage prepaid.

7                   Officer Reginald Hollins  
8                   U.S. Probation  
9                   Houston, TX

10                  Austin Allison  
11                  Pretrial Services  
12                  333 Las Vegas Boulevard South  
13                  Suite 1112  
14                  Las Vegas, NV 89101

15                  BY Debbie Caroselli  
16                  An employee of Wright Stanish& Winckler